Reg. No.: 04614298
California City Correctional Center
P.O. Box 3001-0001
California City, CA 93504

IN PROPRIA PERSONA

FILED
JUL 21 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR

UNITED STATES OF AMERICA, Plaintiff,

UNITED STATES OF AMERICA.

vs.

SANCHEZ BLANCO FRANCISCO
Defendant.

PRO SE MOTION FOR TIME REDUCTION BY AN INMATE IN FEDERAL CUSTODY UNDER TITLE 28 U.S.C. § 2255

Criminal Case Number: 07CR2980 BTM

COMES NOW, the Defendant SANCHEZ BLANEO FRAUCISCO In Propria Persona, Requesting this Honorable Court for a time reduction based on the following grounds. Memorandum of points and Authorities established by this Motion, factual basis. Under the Attorney General Memorandum dated April 28, 1995, The United States Attorney General can offer up to two (2) points downward departure if defendant accepts a final deportation order.

Because Defendant SANCHEZ BLANCO FRANCISCO cannot be housed in a minimum security facility, or community Correctional Center based on his deportation alien status, he asks this Honorable Court to take into consideration and possibly grant Defendant a downward departure.

FACTS OF DEFENDANT'S PRESENT INCARCERATION

Defendant SANCHEZ BLANCO FRANCISCO is currently in the custody of the United States Attorney General at California City Correctional Center, P.O. Box 3001-0001, California City, CA 93504.

On or about JUL-20-2007. Defendant Mr. SÁNCHEZ was arrested and Indicted for Criminal charges. Mr. SANCHEZ BLANCO FRANCISCO was Sentence in the United States District Court for the SOUTHERN District of CALIFORNIA to a term of 48 months and / years Supervise Release.

THE DEFENDANT IS SEEKING RELIEF DUE TO THE FOLLOWING POINTS AND AUTHORITIES

(1) Equal Protections Rights Pursuant to XIV Amendments to the United States Constitution.

(2) Due Process, V Amendment.

(3) Equal Rights Act no person shall be discriminated, regardless of race , color, sex, religion, or Nationlity.

A united States Citizen is entitled to different privileges due to his or her origin like one (1) year reduction of sentence through a drug program three months half-way house to prepare to re-assimilate, a Unicor job, with good wages and other benefits.

An alien is deprived of his benefits or privileges due to his or her status and find himself/herself committed to harsher time, or sentence due to his or her status in the United States of America.

Both a United States Citizen and an alien inmate/resident live and comport by the same rules, policies, privileges and standards of such Institution.

Therefore Defendant Mr. SANCHEZ BLANCO FRANCISCO prays that the Honorable Court grant him all relief to which he may be entitled in this proceeding.

This Motion is submitted in good faith, and pursuant to V and XIV Amendments that guaranteed rights protection of the United States of America Constitution.

RESPECTFULLY SUBMITTED,

x FRANCISCO SANCHEZ BLANCO
AFFIANT

Cc:
#

Dated: JUL-16-2008

CERTIFICATE OF SERVICE / OR MAILING

CASE NAME: SANCHEZ BLANCO FRANCISCO **VS.** UNITED STATES OF AMERICA.

CASE NUMBER: 07 CR2980 BTM.

I, the undersigned, hereby affirmed that on this 16 day of JUL 2008, I deposited in the recepticle for the United States mail provided at this Institution for inmates, first class pre-paid postage, in a sealed envelope and addressed to:

a true and correct copy of the attached document(s) identified as follows:

In accordance with Houston V. Lack 487 U.S. 266 (1988) these documents are deemed filed and served as of this date. Pursuant to 28 U.S.C. §1746(2). I further declare under the penalty of perjury that the foregoing is correct and true.

DATED: 16-JUL-2008

FRANCISCO SANCHEZ BLANCO
AFFIANT

JS44
(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

FILED
JUL 21 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

I (a) PLAINTIFFS	DEFENDANTS
Francisco Sanchez Blanco	**United States of America**
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES): **Kern**	COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND
(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) **Francisco Sanchez Blanco** **PO Box 3001** **California City, CA 93504** **04614-298**	ATTORNEYS (IF KNOWN) **U.S. Attorney**

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX (For Diversity Cases Only) FOR PLAINTIFF AND ONE BOX FOR DEFENDANT

	PT	DEF		PT	DEF
Citizen of This State	☐1	☐1	Incorporated or Principal Place of Business in This State	☐4	☐4
Citizen of Another State	☐2	☐2	Incorporated and Principal Place of Business in Another State	☐5	☐5
Citizen or Subject of a Foreign Country	☐3	☐3	Foreign Nation	☐6	☐6

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

28 U.S.C. 2255

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT
- ☐ 110 Insurance
- ☐ Marine
- ☐ Miller Act
- ☐ Negotiable Instrument
- ☐ 150 Recovery of Overpayment &Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
- ☐ 153Recovery of Overpayment of Veterans Benefits
- ☐ 160 Stockholders Suits
- ☐ Other Contract
- ☐ 195 Contract Product Liability

TORTS — PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury

TORTS — PERSONAL INJURY
- ☐ 362 Personal Injury- Medical Malpractice
- ☐ 365 Personal Injury - Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

FORFEITURE/PENALTY
- ☐ 610 Agriculture
- ☐ 620 Other Food & Drug
- ☐ 625 Drug Related Seizure of Property 21 USC881
- ☐ 630 Liquor Laws
- ☐ 640 RR & Truck
- ☐ 650 Airline Regs
- ☐ 660 Occupational Safety/Health
- ☐ 690 Other

LABOR
- ☐ 710Fair Labor Standards Act
- 720 Labor/Mgmt. Relations
- ☐ 730 Labor/Mgmt. Reporting & Disclosure Act
- ☐ 740 Railway Labor Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Empl. Ret. Inc.
- ☐ Security Act

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (13958)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS - Third Party 26 USC 7609

OTHER STATUTES
- ☐ 400 State Reappointment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce/ICC Rates/etc.
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 810 Selective Service
- ☐ 850 Securities/Commodities Exchange
- ☐ 875 Customer Challenge 12 USC
- ☐ 891 Agricultural Acts
- ☐ 892 Economic Stabilization Act
- ☐ 893 Environmental Matters
- ☐ 894 Energy Allocation Act
- ☐ 895 Freedom of Information Act
- ☐ 900 Appeal of Fee Determination Under Equal Access to Justice
- ☐ 950 Constitutionality of State
- ☐ 890 Other Statutory Actions

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Eiectmant
- ☐ 240 Tort to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

CIVIL RIGHTS
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/Accommodations
- ☐ 444 Welfare
- ☐ 440 Other Civil Rights

PRISONER PETITIONS
- ☒ 510 Motions to Vacate Sentence Habeas Corpus
- ☐ 530 General
- ☐ 535 Death Penalty
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appelate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT: ☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23 **DEMAND $** Check YES only if demanded in complaint: **JURY DEMAND:** ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE Docket Number

DATE 7/21/2008 ~~SIGNATURE OF ATTORNEY OF RECORD~~

[signature]